

## 11. 2012SP-021-001

### VILLAGE GREEN APARTMENTS

Map 117-14, Parcel(s) 089

Council District 34 (Carter Todd)

Staff Reviewer: Brenda Bernards

A request to rezone from RM20 to SP-R zoning for property located at 2215 Abbott Martin Road, approximately 350 feet west of Hillsboro Circle (1.72 acres), and partially located within the Floodplain Overlay District, to permit 90 multifamily units and an associated parking deck, requested by Barge Cauthen & Associates, applicant, Village Green Apartments Partnership, owner.

**Staff Recommendation: Approve with conditions, including revised conditions of the Public Works Department, and disapprove without all conditions.**

#### APPLICANT REQUEST

Permit up to 90 residential units.

#### Zone Change

A request to rezone from Multi-Family Residential (RM20) to Specific Plan – Residential (SP-R) zoning for property located at 2215 Abbott Martin Road, approximately 350 feet west of Hillsboro Circle (1.72 acres), and partially located within the Floodplain Overlay District, to permit 90 multifamily units and an associated parking deck.

#### Existing Zoning

RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

#### Proposed Zoning

Specific Plan-Residential is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes up to 90 multi-family residential units.*

#### CRITICAL PLANNING GOALS

- Preserves Sensitive Environmental Features
- Creates Walkable Neighborhoods
- Provides a Range of Housing Choices

The Village Green Apartments SP proposal meets a number of critical planning goals. The site is located within walking distance of the Green Hills Mall, a regional shopping center, a grocery store and other services and retail uses. The property is adjacent to Sugar Creek and the entrance to the SP property is to be left in a natural state to better protect the creek. There is a pedestrian connection to the adjacent YMCA and the shops and services are in easy walking distance from the proposed apartments. The Green Hills area is primarily a single-family residential area. The addition of multi-family units will increase the housing choices in the area.

#### GREEN HILLS/MIDTOWN COMMUNITY PLAN

##### Regional Activity Center (RAC)

RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

#### Consistent with Policy?

Yes. The proposed plan is consistent with the RAC policy as it proposes higher intensity residential uses in close proximity to a regional mall.

#### PLAN DETAILS

The Village Green Apartments SP will permit up to 90 multi-family units in three buildings, ranging from 2- 6 stories in height. The property is accessed from Abbott Martin Road and there is a pedestrian access to the adjacent YMCA property. Two existing building will be maintained and a new building is proposed. The new building will have a landscape buffer to screen the single family residences to the west. An emergency access drive, required by the Fire Marshal, will run along a portion of the east property line. The remaining area will be in a landscaped buffer. There will be two floors of parking with four floors of units above. The parking will meet the requirements of the Zoning Code for multi-family housing.

## July 26, 2012 Planning Commission Meeting

### STORMWATER RECOMMENDATION

Preliminary SP approved.

### PUBLIC WORKS RECOMMENDATION

Recommend deferral as a TIS has not been submitted.

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final Design may vary based on field conditions
- A site plan is required with final development
- Indicated solid waste plan – dumpster and recycling container locations (2 yard dumpster not sufficient)
- Comply with the provisions of the Master Traffic Engineer and the TIS
- Additional comments will follow based on review of detailed engineered plans.

#### Maximum Uses in Existing Zoning District: **RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.72	20 D	34 U	330	21	37

#### Maximum Uses in Proposed Zoning District: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.72	-	90 U	669	48	68

#### Traffic changes between maximum: **RM20** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+56	+339	+27	+31

### SCHOOL BOARD REPORT

Projected student generation    12 Elementary    4 Middle    4 High

#### Schools Over/Under Capacity

Students would attend Julia Green Elementary School, J.T. Moore Middle School, and Hillsboro High School. Julie Green Elementary School and J.T. Moore Middle School are identified as over capacity. There is no capacity within the cluster for additional elementary and middle school students. This information is based upon data from the school board last updated September 2011.

#### Fiscal Liability

The fiscal liability of twelve new elementary students is \$240,000 (12 X \$20,000) and four new middle school students is \$94,000 (4 X \$23,500 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

### STAFF RECOMMENDATION

Staff recommends that the Village Green Apartments SP be deferred if the Traffic Impact Study (TIS) has not been approved by the Public Works Department by the July 26, 2012, Planning Commission meeting. If the TIS has been approved prior to the meeting, staff recommends approval with conditions of the Village Green Apartments SP as it is consistent with the RAC land use policy of the Green Hills/Midtown Community Plan.

### CONDITIONS (if approved)

1. The requirements of Public Works shall be met.

## July 26, 2012 Planning Commission Meeting

2. The uses of this SP shall be limited to multi-family residential and associated uses as shown on the plan.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40 zoning district as of the date of the applicable request or application.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Bernards presented the staff recommendation of approval with conditions.

John Gore, civil engineer, spoke in support of the proposal, stating that it fits the policy well and it's close to existing jobs, services, amenities, etc.

Amy Burch, RPM Transportation, spoke in support of the proposal stating that the traffic impact study showed a negligible increase in traffic.

John Abernathy, architect, spoke in support of the proposal

Shawn Henry, representing property owner, spoke in support of the proposal stating a negligible traffic increase, double property tax revenues for Metro, clarified that the project is a smart growth product, and asked for approval of staff recommendation.

Erica Garrison, stated that her client H.G. Hill Realty asked her to come and speak in support of staff recommendation.

John Sanders, 207 Kensington Park, stated awareness of the traffic situation in Green Hills but is still in support of staff recommendation.

Jim Richie, 4014 Estes Road, spoke in support of staff recommendation.

Vivian Hines, 3913 Cross Creek Drive, spoke against staff recommendation due to increased traffic concerns.

Charlotte Cooper, 3409 Trimble Road, spoke against staff recommendation due to increased density and traffic.

Bartley McGhee, 2842 Kenway Road, spoke against staff recommendation due to increased density and traffic.

Shawn Henry, on rebuttal, stated that increased density will encourage mass transit and asked for approval of staff recommendation.

Alisha Brimm, 3933 Cross Creek Road, spoke against staff recommendation due to increased traffic concerns.

## July 26, 2012 Planning Commission Meeting

**Mr. Haynes moved and Councilmember Claiborne seconded the motion to close the Public Hearing. (8-0)**

Mr. Haynes stated that appropriate densification should be supported and spoke in support of staff recommendation.

Mr. Adkins spoke in support of staff recommendation and stated that the project is pedestrian friendly, it meets policy, the developer has done a good job, it reduces the amount of pavement in the area, and is a reasonable density increase.

Ms. LeQuire spoke in support of staff recommendation and stated that we have to have density to get the transit we are hoping for.

Councilmember Claiborne spoke in support of staff recommendation.

Mr. Ponder spoke in support of staff recommendation.

Mr. Gee spoke in support of staff recommendation.

Mr. Clifton moved and Mr. Ponder seconded the motion to approve with conditions, including revised conditions of the Public Works Department, and disapprove without all conditions. (8-0)

### **Resolution No. RS2012-145**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2012SP-021-001 is APPROVED with conditions, including revised conditions of the Public Works Department, and disapproved without all conditions. (8-0)”**

#### **CONDITIONS**

- 1. The requirements of Public Works shall be met.**
- 2. The uses of this SP shall be limited to multi-family residential and associated uses as shown on the plan.**
- 3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40 zoning district as of the date of the applicable request or application.**
- 4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.**
- 5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.**
- 6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**

**The proposed SP is consistent with the Regional Activity Center land use policy of the Green Hills/Midtown Community Plan.**